

**MALHEUR COUNTY COURT MINUTES**  
**November 13, 2024**

The regularly scheduled meeting of the County Court was called to order by Judge Dan Joyce with Commissioner Jim Mendiola present. Commissioner Ron Jacobs was absent. Members of the media, public and staff had the opportunity to join the meeting electronically or in-person. Present in the meeting room were Administrative Officer Lorinda DuBois, Building Official Adele Schaffeld, Economic and Community Development Coordinator Taylor Rembowski, and Travis Lock with the Oregon State Fire Marshal's Office. Notice of the meeting was posted on the County website, Courthouse bulletin board, and emailed to the Argus Observer, Malheur Enterprise and those persons who have requested notice. The meeting was audio recorded. The agenda is recorded as instrument # 2024-3105

**PIONEER HEALTH DISTRICT**

Pioneer Nursing Home Health District (aka (also known as) Pioneer Place) CEO (Chief Executive Officer) Corey Crismon and Board Director Dennis Buttice met with the Court. Also present was board member Karlene Keller and staff members of Pioneer Place. On behalf of the District, Mr. Crismon requested the County provide funding for the facility's 2-hour fire wall project. The project must be completed by the end of 2024 in order to keep the skilled nursing facility open. The project was originally projected to cost approximately \$450,000. Ms. Schaffeld and Senator Findley's office worked with the State Fire Marshal's Office to design an equivalent alternate project and is now quoted to cost \$61,057. Ms. Schaffeld explained that the building was built to code - this is not a building code issue; this is a licensing issue with the State of Oregon State Fire Marshal's Office due to a code change. It is nothing that Pioneer Place did or did not do, it is a licensing change. As this was not a building code issue, Ms. Schaffeld assisted the District and worked with the architect and put together an alternate that is used in other places of the building code. The facility has an existing fire sprinkler system; the system was modified to create water walls.

Commissioner Mendiola noted that the District is currently receiving taxing monies collected through property tax payments; over \$60,000 has been disbursed to the District in the last couple of weeks and approximately \$50,000 is being disbursed this week. (Approximately \$300,000 is projected to be collected and disbursed to the District for the 2024-2025 year.) Mr. Crismon explained that the current capital expense projects for the facility total approximately \$500,000 and the District is working on a plan for capital expenses but the priority is to keep staff employed; payroll must be made each month and staffing requirements must be met in order to maintain the census. Mr. Crismon explained that two years ago the District was in the hole \$850,000 and this last year showed a profit of \$27,000.

Judge Joyce noted that written comments were submitted from Larry Wilson; *Commissioner Mendiola read the written comments into the record: Kim, please pass this message onto the court for me. Regarding the Pioneer Place requests for funds I would like to see you thoroughly look at these continued requests for funding. If you are going to give funds to county tax districts you need*

*to set up criteria for all districts to apply for funding. I don't believe county funds should be used when districts need to spend conservatively and manage funds more efficiently. Once you give them funding then I believe this opens the door for any district in the county to request funds. These are county taxpayer monies not Vale taxpayer monies. I don't think it sets a very good precedent when all three commissioners are from the same community as the requesting entity. If you go down this road it is going to be difficult to say no to any other district. If you justify it by giving it from a fund other than county general funds then you must offer this "aid request" to all other districts and be able to clearly state what criteria was used in making this decision. Thank you for your consideration in this matter. Larry Wilson, 3573 Hwy 201, Ontario, OR 97914.*

Judge Joyce inquired if the Board had considered increasing the taxes for the District. Mr. Crismon answered that there has been discussion regarding expanding the boundaries of the District to include the Ontario area as approximately 40% of the residents are from Ontario; this would have to go on the ballot for the voters to decide. The Nyssa area would not be included in the boundaries as Malheur Memorial Health District is in that area. Mr. Buttice and Mr. Crismon reminded the Court that Pioneer Place is the only skilled nursing facility in the area.

Ms. Browning inquired what the process is for requesting funding from the County. Ms. DuBois explained that the County previously gave Pioneer Place \$150,000 from its ARPA (American Rescue Plan Act) funding for assistance with payroll. The County received LATCF (Local Assistance and Tribal Consistency Fund) funding; the LATCF funding is to be used for providing governmental services. The County is using the funding for County governmental services it currently provides and is still identifying the needs and costs. If the Court determines that there are remaining funds it may then be ready to take funding requests, which will be through a defined application process and specific project criteria based on reporting requirements.

Those present from Pioneer Place left the meeting. See instrument # 2024-3110 for the written document outlining the current capital requirements for Pioneer Place.

Ms. Schaffeld noted that the County, Senator Findley's office, and the State Fire Marshal's Office has assisted Pioneer Place greatly with the fire wall project as it took a lot of effort and time to get the alternate approved and Pioneer Place is an important facility in the county. The original project was approximately \$450,000 and the project is now \$61,000.

### **FIRES**

Travis Lock with the Oregon State Fire Marshal's Office introduced himself and inquired if the Court had any questions regarding the season's wildfires. Mr. Lock is with the Emergency Response Division of the Fire Marshal's Office and is the Regional Mobilization Coordinator for Wallowa, Union, Baker, Grant, Harney and Malheur counties. Ms. Schaffeld commented that four secondary dwellings were lost in Malheur county due to the wildfires and the State has a fire hardening grant program that those homeowners can apply for.

### **COUNTY POLICIES**

Judge Joyce moved to approve updated County Policy 121 - Employment Process; Policy 124 - Respectful Workplace Policy; and Policy 125 - Outside Employment. Commissioner Mendiola seconded and the motion passed. The Employment Process policy is updated to include an Underfill provision. BOLI (Bureau of Labor and Industries) recommends a general Respectful Workplace Policy. The draft policies have been shared with department heads and AFSCME (American Federation of State, County and Municipal Employees). See instrument #s 2024-3107, 2024-3108, and 2024-3109

### **SUPPLEMENTAL BUDGET RESOLUTION**

Commissioner Mendiola moved to approve Supplemental Budget Resolution R24-25: In the Matter of Fiscal Year 2024/2025 Supplemental Budget by Resolution Under Local Budget Law ORS (Oregon Revised Statutes) 294.471. Judge Joyce seconded and the motion passed. The purpose of the supplemental budget is to allocate Oregon Department of Transportation Traffic Safety Project grant funds that were not anticipated when the budget was adopted; these funds are to be used for speed enforcement supplies. See instrument # 2024-3106

### **IGA #26018 AMENDMENT**

Commissioner Mendiola moved to approve Sixth Amendment to Oregon Health Authority 2024-2025 Intergovernmental Agreement for the Financing of Community Mental Health, Addiction Treatment, Recovery, & Prevention, and Problem Gambling Services, Agreement # PO-44300-00026018. Judge Joyce seconded and the motion passed. Funding is awarded for School-Based Mental Health Services. See instrument # 2024-3115

### **AUDIT**

Ms. DuBois noted she has received the draft audit; the final audit document should be completed by the end of the year.

### **ADJOURNMENT**

Commissioner Mendiola moved to adjourn the meeting. Judge Joyce seconded and the motion passed.